

State of New York
County of Fulton
Town of Caroga

Minutes of a Caroga Town Board meeting held Wednesday September 13, 2023 at the municipal building located at 1840 State Highway #10 at 6:00 pm with the following persons in attendance by roll call. The flag salute followed.

Supervisor Scott Horton - Here
Council Member John Glenn – Here
Council Member Barbara Deluca – Absent
Council Member Richard Sturgess – Here
Council Member Donald Travis – Here

Tor Shekerjian – Confidential Secretary to the Supervisor facilitated the hybrid meeting using Zoom. Also, in attendance were, Planning Board Members Karen Dutcher & Matthew Cooper, Zoning Board Member John Byrnes, Ralph Palcovic - Caroga Tourism Commission (CTC) member, Jeremy Manning – Bike Trail coordinator, Walter Hogan – Weed Harvesting Coordinator, BTI Director Mike Kunath. There were 20 members of the public in attendance and fifteen people were attending using Zoom. **Amended 10/13/23** to note that Council Member DeLuca was online but did not participate in the meeting.

Council Member Sturgess made a motion to waive the reading of the July minutes. Council Member Glenn seconded the motion. All Board members present were in favor of the motion. Horton, Glenn, Sturgess, and Travis.

At 6:02 pm Supervisor Horton opened the public hearing on the renewal of the cable television franchise agreement by and between the Town of Caroga and Spectrum Northeast LLC. No one in person or online spoke at this time about the franchise agreement. The public hearing will remain open. The Supervisor stated there would be no change in our bills because of this agreement. Everything stays the same. The Supervisor stated it was a tax that has been going on for many years now.

Department Reports:

Wheelerville Bike Trail – Jeremy Manning reported on the second annual bike festival that was held August 12 & 13th. He thanked all the volunteers, riders and the 1000 participants. On day one there was a downhill race, jump jam, guided rides, and wheelie competition. On day two a new commemorative trail that was built was opened. LL Bean, and Saratoga Shredders had a skills clinic for 50 kids. The new skills area is located near the upper parking lot. Mr. Manning thanked all the vendors and supporters. The announcer was Lawton Denis. Fulton County tourism was involved as well. Mr. Manning spoke to the local businesses about the weekend they stated they were very busy and the New York State Campground was at full capacity too. Sponsors Truly and Red Bull really liked the event for its downhome feel. They liked format of day one was for the pros and day two for the kids.

Mr. Manning reported that this past weekend was the first ever Enduro Race in the Adirondack Park. The race consists of four laps riding up and down which is timed and scored. The winner of the event was from Spain. Mr. Manning thanked Adirondack Sports for their help. He thanked the food vendors for being there.

Two new downhill trails were completed this year, the skills area for kids was completed, one trail was rerouted, and a review area of jump area and Skills Park was revamped in the upper sand pit.

Mr. Manning has submitted an application for another \$25,000.00 grant by Athletic Brewing Company. It is their annual two for the trials program. He stated the grant would be used to construct two additional beginners' trails on the lower levels of the mountain kind of along the stream.

Mr. Manning was also asked to write an article for ADK Magazine which will showcase the trail development over the last few years. The article will be in the fall issue. (Applause)

Supervisor Horton noted the races are going very well. He asked if there were any sanctioning bodies for the races so the more professional racers can get points. Mr. Manning has looked into that. The race was organized rather late in the year but he did talk to someone from the Eastern States Cup, the leading Enduro series organization in the Northeast. Caroga is a place they are looking into coming to.

BTI –Mr. Kunath didn't have much to report. The Black Flies are under control. He has four people to interview the first week of October. He ordered 50 gallons of Vectobac 12 AS, the solution for next year. That will give us about 75 gallons in stock. That should be plenty for next year.

Sole Assessor – Supervisor Horton read from an email dated August 26 submitted by the Assessor Leigh Anne Loucks. Re: Senior Exemption

Supervisor Horton was looking into trying to provide the lower income residents of the town of Caroga additional tax breaks. He talked to the assessor about this to see what the impact might be. "It's like anything one group gets a break, somebody else pays for it." He will talk to her more about this and the board members too to see if they have an interest.

Town Clerk/Tax Collector/Registrar/RMO – A monthly report was remitted to the board. The clerk Linda Gilbert stated that the Freedom of Information Law (FOIL) request form has been revised after a meeting with Anthony Fancher and Supervisor Horton. Recommendation made by Kristin O'Neil the Assistant Director of the Committee on Open Government had made some suggestions which were incorporated into the revised form.

The clerk is concerned about the carpeting outside of her office. With the increasing humidity more wrinkles have appeared and they are a trip hazard. With the increasing humidity the smell

of mold is more prevalent in the office and at that end of the building. A dehumidifier was relocated into the office as envelopes in the cabinets were self-sticking.

Supervisor Horton stated at this time the public hearing on the Franchise agreement continued to be open until quarter after.

Code Enforcement & Sanitation – Mr. Fancher submitted monthly permit report. The report stated that 21 permits were issued for a total of \$3,100.00 in fees being collected having a construction valuation of \$410,500.00. Supervisor Horton noted Mr. Fancher is concerned about his future and would like to have a five-year appointment instead of a year-to-year appointment. The Supervisor has talked to him about this, unfortunately it is a civil service appointment he has to take a civil service exam. Supervisor Horton talked to the state there are no tests scheduled. Unfortunately, this is common in the state. Other code officers in the county were in their jobs for 7, 6, and one 4 years before they were permanently appointed. This is a civil service issue. Supervisor Horton stated he did not believe a 5-year appointment was legal.

Dog Control –the clerk received (3) 10-Confinement Release Forms from the Fulton County Public Health for the Dog Control Officer (DCO) to fill out they were overdue. Earlier the DCO called to say he received a satisfactory letter from the state Ag. & Markets Department on their recent inspection. He stated to the clerk he would filing the paperwork to the County on the 2 cat bites and one dog bite. The inspection by the state in with our equipment and reports filed with the local shelter.

Golf Course – Councilman Sturgess reported that Mr. Steadman stated that in September there are 9 outings. Mr. Steadman felt it is was important for the golf course to remain well-manicured through the end of the month to ensure that all events would reconsider rebooking next year.

Aerification Tee's and fairways will be done as soon as possible that way it won't interfere with course play during tournaments. Greens will be started on Monday October 9th weather depending. He will complete projects between now and snowfall. He is working on #4 tee and #10 ladies tee area. He is busy. Last week there was the snowmobile tournament and everything was excellent.

At 6:18 pm Supervisor Horton asked again if anyone wanted to speak to the board on the renewal of the cablevision franchise agreement. Hearing none the public hearing was closed.

Highway – Mr. Voght Highway Superintendent submitted a written report. Supervisor Horton read the report. He would like to look at logging off the land on Lane Road. Later there will be a resolution to purchase a plow for his truck. Supervisor Horton stated that the Highway Superintendent blacktopped the upper part of Kasson Drive.

The Highway Superintendent is going to have an open house on Saturday October 14th from 8 am – 11 am to show everyone the state of affairs of the town barn. We have been trying to get a

new barn built but have had some legal issues. Cider and donuts will be provided. Supervisor Horton encouraged anyone concerned about this project to visit.

The report stated that the highway department has been working on ditching roads and continues to work on snow plows and sanders to protect them by painting them.

Lakes Management Program – Council Member Glenn stated that all of the information/reports that Mr. Olm and Mr. Harazin have submitted to the board will be put on the town website. Mr. Hogan has some very exciting news.

Mr. Hogan read from his written report – year to date through August we are down 622 bushels, that is not because there is less milfoil. It is due to the mechanical part of the program. He has had divers go out on disability not on the town's account but something that was done at home and one diver went back to school so he has been short divers. A lot of days were lost to rain.

Mr. Hogan did more research on the hoses he thought were going to be expensive to replace. He found the price to be reasonable. He has been researching some systems in the \$5,000.00 range to video the lakes from a boat. The live videos show the plants and through GPS will map the milfoil and record the locations so the divers can go back in a week or 10 days to possibly use a herbicide in that area or hand harvest.

Mr. Hogan noted the town did get the Department of Environmental Conservation (DEC) grant in the amount of \$51,000.00 with the town's contribution. He stated we would be moving forward with the ProcellaCOR pilot program. The areas are the channel area – one of the heaviest places that spreads the milfoil through both lakes and then the area to the right of channel going out towards the outlet and then in West Caroga Lake the football field area. Mr. Sullivan will start the process of applying for the permits to DEC and Adirondack Park Agency. The mapping has been done. He will get the reports of the mapping towards the end of October. If everything goes OK ProcellaCOR could go into the lake in May of 2024 in those areas. Mr. Hogan had a great conversation with Jim Niles of Lake Luzern. People around the lake were thrilled with the results. He is very optimistic that this will work out for the town.

There is a new grant with two components. There are six categories with two categories we can apply for. We need a resolution for this because the town has to contribute 25% of the grant. He is asking to apply for a grant for up to \$100,000.00 for each of the two categories. This will help the town go forward with ProcellaCOR or any other type of rapid response or plant identification of milfoil.

Mr. Hogan stated he has heard very few complaints or concerns about the ProcellaCOR. He has been working with some people to education each other.

Council Member Glenn noted he discussed having another open session to share information and concerns about ProcellaCOR, He is thinking the second or fourth week in October or early November. They are waiting back for a consultant to get back to them. Mr. Niles from Lake Luzern may come over and talk about how the program worked.

Supervisor Horton asked when did Mr. Niles do the program at Lake Luzern. It was this year Mr. Hogan replied. Mr. Hogan has been in touch with people from Lake Minerva, and Saratoga Lake that have been involved longer in the process. They have some before and after videos. They have used ProcellaCOR and there have been no negative indication of any kind. Supervisor Horton noted some of the concerns people have indicated were with post application monitoring. Did anyone Mr. Hogan talk about their efforts for doing post monitoring? That is mostly handled by Solitude. They do the bulk of it. It does have to be done per the permitting process. He listened to the presentation done by lake Luzern to the APA there was only one negative vote a 9 – 1 decision to give them the permit. The chairman of the board of the APA wanted to see a requirement that there be further post application testing. Mr. Hogan stated that in Lake Luzern 24 hours after the application of ProcellaCOR they could not find ProcellaCOR in the water sample taken.

Council Member Sturgess asked what the size of Lake Luzern was compared to our lake's acreage wise. He asked if there was a cost of what it will cost for our lakes. Mr. Hogan could only give a ballpark for now. We applied for the grant in November and he has reached out to Solitude about doing additional application on East Caroga Lake of 100 acres and 75 acres on West Caroga. (The lakes are much bigger than that) West Caroga is 275 acres and East Caroga is 198 acres. That cost would \$141,000.00 for 175 acres. So, it is less than \$1,000.00 an acre. He noted the use on the lakes would be spread out over time. Council Member Sturgess noted we have only heard costs on the pilot program so far not the number to treat the lakes. Mr. Hogan will treat the calculation to Supervisor Horton.

Mr. Harazin noted there is another three-year grant available. They have six categories. He stated we could apply for the rapid response and control and one for the aquatic invasive species spread prevention for the boat decontamination programs. Our program was a hybrid program because we do decontamination and have lake stewards as well. He was told we could apply for the grant. Mr. Harazin thinks it will be pretty competitive but thinks we are in a good position because we are a gateway to the southern Adirondacks. He is willing to volunteer to get together with the others to put together an application. They are due on November 1st. He does need the resolutions to apply because we are a municipality. There is a detailed application and work plan that has to be submitted together.

Town Hall Building – Council Member Travis reported that he had the final boiler inspection. The papers are filed at town hall. The Culligan man came on August 28th. The light was changed and flushed the system and tanks and reset the clock. Adirondack Electric changed an emergency light at the north and south end of the building. He is also working on the West Lake Boathouse light. Supervisor Horton thanked him for getting a new closer on the front door.

Short Term Rental Committee - The Town Clerk read the written report submitted by Council Member Deluca. "Moving forward with getting the permit and inspection documents in fillable forms for online submission. The final documents will be submitted to the Town Board soon. Received positive feedback from members of the STR community and valuable suggestions. There will be a roll out scheduled after the law is passed so that that all questions from owners

are addressed. Due to the timing, a large portion of the community education will be online so that all may participate.”

CTC (former PLRT) — The Town Clerk read the written report submitted by Council Member Deluca. “ Big plans for Halloween after last year’s very successful event; We are excited to once again partner with the Caroga Arts Collective to hold these events at Shermans, a perfect venue for these events.

Friday October 27- The First Annual Witches & Warlocks Ball -Presented by the Town of Caroga Tourism Committee & Caroga Arts Collective. All proceeds will benefit the Caroga Museum

Sunday October 29- Caroga Tourism Annual Trunk or Treat at Shermans- last year this event brought over 1000 people to the Town of Caroga and we look forward to good weather and lots of community participation for this event again!

Plans will be finalized for both events at the CTC meeting on Thursday Sept 14 and information will be available in local business, social media and TOC website by the weekend.

Local businesses are making plans for Halloween weekend; Nick Stoner Inn will be holding their annual Halloween party on Saturday October 28 and I am sure Vroman’s and Slate also have Halloween plans. We will be posting other community events to our Social Media page as soon as we receive them.

Christmas Tree Lighting will be held on Saturday November 25 at Shermans

Snowmobile Races February 24 & 25, 2024 on West Caroga

Saturday will be races and Sunday will be Vintage Sled Races”

Supervisor’s Report: Supervisor Horton noted he is wearing two hats for both the county and the town has kept him a little busy. He had 27 county meetings last month. He had an interesting meeting with Assemblyman Gray. The Assemblyman has visited 11 counties in Upstate New York looking at ways state government can promote tourism. It was noted that the Fulton County tourism economy is about 20%. He believes that if the state did more to promote tourism it would help the small communities in upstate New York. A lot of good ideas came out of the round table discussion.

The budget season is starting. Budget sheets are to be in by September 15th. There will be an upcoming budget meeting scheduled separate from the town board meeting. The public will be notified.

One thing the Supervisor thinks about is the long-term management of the town specifically the golf course and the Wheelerville Bike Trails. There are avenues of management techniques he thinks the town should explore.

The *public comments and questions* portion of the meeting was opened at 6:40 pm.

Allen Farber of Sand Point Road is coming back with the same issue he discussed at the July and August meetings about the excavation on Kasson Drive. He tried to contact the Code Officer multiple times and has yet to get a response. He is not crying wolf on this. He just submitted and the town board received a petition with 125 – 130 signatures of people on Canada and Caroga Lakes. He is looking for the town and code officer to follow his own code consistently and accurately. That is all he is asking for.

Dave Steele stated that he and his wife have been asked to be citizen watch dogs over the ProcellaCOR issue and lakes management in general. He gave the town clerk a 25-year report from Lake Luzern. Lake Luzern is very similar to both East and West Caroga. He noted the maximum depth of West Caroga is 74 feet the maximum depth of East Caroga is 48. The maximum depth of Lake Luzern is 52 feet. West Caroga is 275 acres, East Caroga 198 acres, Lake Luzern 111 acres. Lake Luzern has had success using chemicals. A big thing is having a multi-prong approach. The biggest thing is prevention. Mr. Steele believes the town has to look at increasing prevention efforts. Milfoil will not be completely eradicated. He asked about the difference in the amount awarded as reported in the newspaper, Mr. Steele noted he and his wife are happy to be involved in the town board in monitoring the situation. They feel outside scientific input is important. He will be looking into that and emailing his findings to the board.

Supervisor Horton noted the difference in the amount received and the amount reported in the paper is because there is a local contribution.

At 6:45 pm the public portion of the meeting was closed.

Old Business: - None

New Business: Set date and time of open house at Highway Garage October 14 8 am – 11am.

Correspondence: Supervisor Horton stated that if anyone wanted a copy of the correspondence, they could contact the town clerk.

8/15 FC Solid Waste Transfer Station Hours change Monday October 2nd to winter hrs.

8/21 Mary Jablonski email re supports the right to vote on bond ref

8/23 Dan Dopp email re: fees incurred by lawsuit by Anita Long

9/4 John Byrnes re: Arborist Pat Veeder volunteered to do work for town

9/6 Dave Steele email re: meeting with Supervisor Horton and Council Member Glenn

9/8 FC Solid Waste Columbus Day 10/9 Transfer Station Closed but open Tues 10/10 8 - noon

9/13 Daniel Yunger against Kasson Drive Petition

RESOLUTIONS:

RESOLUTION #2023-091– To dispose of the 20 HP outboard motor was offered by Supervisor Horton at the regular monthly meeting of the Caroga Town Board held on September 13, 2023.

WHEREAS, Walter Hogan Weed Harvesting Coordinator has decided that the 20 HP outboard motor used on the Weed Control Boat is no longer necessary, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to dispose of the 2008 20HP motor – serial #SN OR251073.

Seconded by Council Member Glenn

Adopted by a vote of 4 ayes, Horton, Glenn, Sturgess, Travis

RESOLUTION # 2023-092 to apply for a DEC Grant was offered by Council Member Glenn at the regular monthly meeting of the Caroga Town Board held on September 13, 2023.

WHEREAS, the town was notified that the Department of Environmental Conservation was offering a grant opportunity, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to apply for the DEC Grant in the amount of up to \$100,000.00 maximum with a Town contribution of 25% for lake management for early detection of Eurasian Milfoil and for ProcellaCOR.

Seconded by Council Member Sturgess

Discussion: Supervisor Horton noted in order to apply for any grant the town board has to approve applying for it. If the town is successful in getting the grant awarded, the board has to then approve receiving the grant. At budget time the board will know if the town will have an obligation. Council Member Sturgess asked if we had to budget for this, this year. The Supervisor noted it would be in next year's budget. The board could budget for less and make the application for less.

Council Member Glenn stated this was in the comprehensive plan for lakes management. He stated it was for the DASH (Diver Assisted Suction Harvesting) and for ProcellaCOR, rapid detection and irradiation.

Mr. Hogan confirmed the two programs the money would be used for.

Supervisor Horton noted we are getting close now to spending \$100,000.00 a year on the DASH program. That was the impetus for the town to start looking at other alternatives. It is a lot of money and the town wants to find ways to reduce that expense. We were successful in getting the first award and now want to do a follow up which includes ProcellaCOR, but is not exclusive to ProcellaCOR. Last month mapping was done so we were ready to go. The Supervisor thanked the board for supporting that so that the town can do the first test in May of next year.

Adopted by a vote of 4 ayes, Horton, Glenn, Sturgess, Travis

Supervisor Horton note we are allowed to have two applications for this grant.

RESOLUTION #2023-093 to apply for a second DEC was offered by Council Member Glenn at the regular monthly meeting of the Caroga Town Board held on September 13, 2023.

WHEREAS, the town was notified that the Department of Environmental Conservation was offering a grant opportunity, and

WHEREAS, Marcus Harazin has offered to write the grant, as well as any help from the other members of the Lakes Management Committee, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to apply for the DEC Grant in the amount of up to \$100,000.00 maximum with a Town contribution of 25% for lake stewards' program and decontamination, a three-year program.

Seconded by Council Member Sturgess

Discussion: Supervisor Horton noted the town had a grant similar to this once before. It expired but through Mr. Harazin efforts the town was able to secure funds to have one Lake Steward paid for by the state.

Mr. Harazin confirmed that the town had applied for and won a couple three-year grants. DEC did not offer the grant for a couple of years. He noted it is a three-year program. The match would be for 1/3 of the money each year. Based on expenditures he noted based on the money we are spending on the program is used for the match. He will do that on this one for staff time and associated costs. Mr. Harazin thought a lot of the money in terms of match is already in the budget. We will have to see if we get the grant if there are additional funds required which would necessitate additional money being added to the budget.

Adopted by a vote of 4 Ayes, Horton, Glenn, Sturgess, Travis

RESOLUTION #2023-094 to create a reserve fund for the Nick Stoner Municipal Golf Course was offered by Supervisor Horton at the regular monthly meeting of the Caroga Town Board held on September 13, 2023.

WHEREAS, Supervisor Horton desires to create a reserve fund at the golf Course by setting up a capital equipment purchases over \$10,000, and

WHEREAS, it is a good year for revenues on the course this year, and

WHEREAS, there is about \$450,000.00 worth of equipment to run the course with a life expectancy of 10 -15 years, and now therefore be it

RESOLVED, to look to the future the Supervisor proposes setting up a reserve by funding it at \$1.00 with the final funding to be approved in December 2023.

Seconded by Council Member Glenn

Discussion: Council Member Travis noted it would be the same as the reserve the town has on the garbage truck.

Supervisor Horton noted there were two reserves in the past the garbage truck and the weed harvester.

Adopted by a vote of 4 Ayes, Horton, Glenn, Sturgess, Travis

RESOLUTION #2023-095 to create a reserve fund for the Nick Stoner Municipal Golf Course contractual expenses was offered by Supervisor Horton at the regular monthly meeting of the Caroga Town Board held on September 13, 2023.

WHEREAS, Supervisor Horton desires to create a contractual expense reserve fund at the Nick Stoner Municipal Golf Course for maintenance and improvement projects over \$10,000 and

WHEREAS, the Supervisor noted the difference between normal maintenance and capital improvements noting that the fund would be established at \$1.00 with the final funding to be approved in December 2023, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to create a reserve fund for the Nick Stoner Municipal Golf Course for improvements over \$10,000.00 in the amount of \$1.00 with the final funding to be approved in December 2023.

Seconded by Council Member Glenn

Adopted by a vote of 4 Ayes, Horton, Glenn, Sturgess, Travis

RESOLUTION #2023-096 to purchase a V- plow for the highway superintendent's truck was offered by Supervisor Horton at the regular monthly meeting of the Caroga Town Board held on September 13, 2023.

WHEREAS, the Highway superintendent has indicated the need to purchase a plow for his truck, and

WHEREAS, the Highway Superintendent contacted two vendors for quotes one from Charles D Stahl Sales and Service 697 Snells Bush Rd, Little Falls NY 13365 315-823-1982 who quoted 3 plows 1) Boss 9'2" Red steel DXT V plow \$7500.00 complete & installed - option rubber snow foil \$430.00, 2) Western 9'6" Red MVP3V Plow \$8,461.00 options rubber snow foil \$500.00, 3) Snowex 9'6" Black Steel HDV V Plow \$8,705.99 options: rubber snow foil \$479.99 installed, and the other from Bobcat of Gloversville-Johnstown LLC 2053 State Highway 29 Johnstown NY 12095 Fisher 9'6" XV2 Yellow and Fisher Rubber Deflector \$8,427.62, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move purchase the plow from Bobcat of Gloversville- Johnstown the low bid in the amount of \$8,427.62 installed from DA5130.20.

Seconded by Council Member Sturgess

Discussion: Council Member Sturgess asked what is going on with the truck we ordered for the Highway Superintendent the 550 with a wing and plow. Council Member Travis stated it might

not be until December or January before it arrives. Supervisor Horton noted the manufacture date is November right now. After the truck is manufactured the all of the equipment has to be installed. The Supervisor stated the money is in the budget.

Adopted by a vote of 4 Ayes, Horton, Glenn, Sturgess, Travis

Supervisor Horton sent out information on various quotes on health insurance to the board members.

RESOLUTION #2023-097 to approve the new health insurance plan for 2023-2024 was offered by Supervisor Horton at the regular monthly meeting of the Caroga Town Board held on September 13, 2023.

WHEREAS, various quotes on health insurance to the board members and

WHEREAS, the Supervisor is proposing the plan almost identical to what we currently have, noting that NBT Insurance Agency LLC sent over two sheets showing four plans each. And

WHEREAS, the cost is \$155,522.88, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to contract with NBT Insurance Agency LLC for a CDPHP HDEPO Qualified 421, Bronze HSA HDEPO plan.

Seconded by Council Member Glenn

Discussion: The Supervisor explained what we have in the town is a high deductible plan. In order to take some of the burden off the employees we have an HSA account which pays 50% of the deductible. An individual plan has a deductible of \$6900.00 if someone maxes out at the \$6,900.00 the town pays 50% of that. The town pays \$3450.00. This saves us considerably on the premium. Supervisor Horton is having the county look into this plan. The town's liability on this is about \$87,000.00 if everybody who has health insurance reached the maximum. The year to date the town has spent \$24,000.00. If we changed employee may have to change doctors. The other plans were for \$156,000.00 another for \$130,000.00 but that is an HMO and much different, the doctors have to be in network.

Council Member Glenn stated the issue is if you switch from plan to plan the issue is the provider and sometimes there are other conditions where the insurance would not be accepted.

Supervisor Horton stated since we haven't had any complaints and we are getting a very good rate he is advocating to keep the plan we have. There is about a 16% increase. Which is not uncommon in premium adjustments.

Adopted by the following roll call vote.

Supervisor Scott Horton - Aye
Council Member John Glenn – Aye
Council Member Richard Sturgess – Aye
Council Member Donald Travis – Aye

RESOLUTION #2023-098 to make the following transfers as necessary to maintain a balanced budget: was offered by Supervisor Horton at the regular monthly meeting of the Caroga Town Board held on September 13, 2023.

WHEREAS, the budget director has indicated the need to make the following transfers to maintain a balanced budget, now therefore be it

RESOLVED, that the Caroga Town Board makes the following transfers.

From: A8090.11 Stewards P/S	\$ 2,000.00	
To: A8090.10 Boat Wash P/S		\$ 2,000.00

From: A1355.2 Assessor Equip.	\$ 500.00	
To: A1355.4 Assessor C/E		\$ 500.00

From: A3620.2 Codes Equip.	\$ 1,000.00	
To: A3620.4 Codes C/E		\$ 1,000.00

From A5132.40 Garage C/E	\$ 700.00	
To: A5010.4 Hwy Sup C/E		\$ 700.00

Seconded by Council Member Sturgess

Adopted by a vote of 4 Ayes, Horton, Glenn, Sturgess, Travis

Supervisor Horton explained that the town has a policy whereby if person wants a culvert replaced for a driveway the town does the labor and the resident pays the cost of the culvert pipe.

RESOLUTION #2023-099 to make the following budget adjustments to maintain a balanced budget (sale of Highway equipment, receipt of culvert money) was offered by Supervisor Horton at the regular monthly meeting of the Caroga Town Board held on September 13, 2023.

WHEREAS, the budget director has indicated the need to make the following transfers to maintain a balanced budget, now therefore be it

RESOLVED, that the Caroga Town Board makes the following transfers.

DA5130.4 Machinery C/E	\$19,395.72	
Revenue received from sale of Equipment DA2665		\$15,370.00
Revenue received from sale of culverts DA2770		\$ 4,025.72

Seconded by Council Member Travis

Discussion: Council Member Sturgess asked if there was an itemized list of these culverts that are sold. Supervisor Horton replied “yes.” The procedure is a constituent says they want this done. The Highway Superintendent gives them a price for it. They pay the town and he puts in the culvert pipe. Supervisor Horton stated this comes in in dribs and drabs.

Council Member Sturgess asked why is this revenue so much. What is the time frame? In three years, he has never seen a resolution like this. Has this been in the past 30 days or 4 years? Who collects this money? Supervisor Horton stated the Highway Superintendent collects the money and turns it over to him, and he gives it to the bookkeeper, and the bookkeeper keeps track of this. Before Supervisor Horton stated the board wasn’t notified.

The clerk stated in the past I used to write out bills to people, the checks would come back to the clerk’s office where they were recorded and then given to the Supervisors office. There used to be a tracking system.

Council Member Sturgess asked if we could get back on that system to track it differently. Supervisor Horton stated obviously it is being tracked by the bookkeeper now. It would be an additional step. The Supervisor said this can be talked about at budget time. He thought it was important that now it is being brought to the board’s attention. Council Member Sturgess wanted to talk about this later.

Adopted by a vote of 4 Ayes, Horton, Glenn, Sturgess, Travis

Supervisor Horton stated we received extra revenue.

RESOLUTION #2023-100 to make the following budget adjustments to maintain a balanced budget (sale of Golf Course Merchandise) was offered by Supervisor Horton at the regular monthly meeting of the Caroga Town Board held on September 13, 2023.

WHEREAS, the budget director has indicated the need to make the following transfers to maintain a balanced budget, now therefore be it

RESOLVED, that the Caroga Town Board makes the following transfers.

A7180.42 Golf Course Merchandise	\$ 3,959.00
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Revenue received from sale of Merchandise A2025.20	\$ 3,959.00
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Seconded by Council Member Sturgess

Adopted by a vote of 4 Ayes, Horton, Glenn, Sturgess, Travis

RESOLUTION #2023-101 to approve the Technical Services Change order #5 submitted by C.T. Male Associates was offered by Supervisor Horton at the regular monthly meeting of the Caroga Town Board held on September 13, 2023.

WHEREAS, the town received notice of a change order #5 from C. T. Male Associates for work done on the landfill closure site, and

WHEREAS, the Supervisor noted we do not have a contract with them for this year, and

WHEREAS, the net change in contract price is \$5,755.00, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to pay \$5,755.00 to C.T. Male 50 Century Hill Drive, Latham NY 12110-0727 (518) 786-7400.

Seconded by Council Member Sturgess

Discussion: Council Member Sturgess remembers having this discussion last year. Supervisor Horton explained that three years ago the site was monitored four times a year and it was expensive. The Supervisor asked C. T. Male to talk to Department of Environmental Conservation to do the monitoring annually to reduce the cost.

Council Member Glenn thought the cost to monitor four times a year was \$20,000.00.

Supervisor Horton thought next year the board may want to go out to bid on this. The monitoring at Mud Road is done by Lamont Engineering.

Adopted by a vote of 4 Ayes, Horton, Glenn, Sturgess, Travis

Council Member Sturgess stated he has been waiting for this day for three years.

RESOLUTION #2023-102 to approve the Contract with Spectrum was offered by Supervisor Horton at the regular monthly meeting of the Caroga Town Board held on September 13, 2023.

WHEREAS, an application has been duly made to the Board of the **Town of Caroga, County of Fulton**, New York, by **Spectrum Northeast, LLC**, an indirect subsidiary of Charter Communications, Inc. ("Charter"), a limited liability company organized and existing in good standing under the laws of State of Delaware doing business at 2604 Seneca Avenue, Niagara Falls, NY 14305, for the approval of a renewal agreement for Charter's cable television franchise for ten (10) years commencing with the date of approval by the Public Service Commission, and

WHEREAS, the franchise renewal agreement would bring the franchise into conformity with certain provisions of the Federal Cable Communications Policy Act of 1984, as amended, and certain court rulings, and

WHEREAS, a public hearing was held in the Town of Caroga, New York on September 13, 2023 at 6:05 P.M. and notice of the hearing was published in the Leader Herald Newspaper on August 15, 2023, **NOW, THEREFORE**, the Board of the Town of Caroga finds that:

1. Spectrum Northeast, LLC has substantially complied with the material terms and conditions of its existing franchise and with applicable law; and
2. Spectrum Northeast, LLC has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and
3. Spectrum Northeast, LLC can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

BE IT FURTHER RESOLVED that the Board of the **Town of Caroga** hereby grants the cable television franchise of Spectrum Northeast, LLC and the **Town of Caroga** for ten (10) years commencing with the date of approval by the Public Service Commission and expiring ten (10) years hence, and **BE IT FURTHER RESOLVED** that the Board of the **Town of Caroga** hereby confirms acceptance of this franchise renewal agreement.

Seconded by Council Member Sturgess

Discussion: Supervisor Horton stated the contract just rolls over for ten years. Council Member Travis noted we always got the money. The Supervisor stated everything takes time. He had to talk to the lawyers.

Adopted by a vote of 4 Ayes, Horton, Glenn, Sturgess, Travis

The foregoing having received a unanimous vote was thereby declared adopted.

RESOLUTION #2023-103 to accept the DEC Mohawk River Watershed Award was offered by Supervisor Horton at the regular monthly meeting of the Caroga Town Board held on September 13, 2023.

WHEREAS, the Town of Caroga applied for the Department of Environmental Mohawk River Watershed grant which was submitted by Mr. Hogan, now therefore be it

RESOLVED, that the Caroga Town Board does hereby move to accept award in the amount of \$46,650.00 for the test pilot to controlling the Eurasian Milfoil in East and West Caroga Lakes.

Seconded by Council Member Glenn

Adopted by a vote of 4 Ayes, Horton, Glenn, Sturgess, Travis

At 7:24 Council Member Sturgess made a motion to enter into an executive session to talk about a possible lawsuit in regards to the Kasson Drive vacant property. The motion was seconded by Council Member Glenn. All board members were in favor of the motion. Horton, Glenn, Sturgess, Travis.

At 7:57 Council Member Travis made a motion to exit from the executive session. The motion was seconded by Council Member Sturgess. All board members were in favor of the motion. Horton, Glenn, Sturgess, Travis.

As a result of the executive session Supervisor Horton stated that the board discussed the petition that was presented to the town board and stated that, "The town board has decided to take no actions on this at this time."

A member of the public asked if there was a reason.

Supervisor Horton asked if there was any other old business or any other new business. Hearing none he asked for a motion to approve the minutes.

Council Member Sturgess made a motion to approve the minutes of the July and August Town Board meetings also Special meeting held August 21st 2023. The motion was seconded by Council Member Travis. All board members were in favor of the motion. Horton, Glenn, Sturgess, Travis.

Supervisor Horton made a motion to approve the bills as presented for audit. The motion was seconded by Council Member Sturgess. All board members were in favor of the motion. Horton, Glenn, Sturgess, Travis.

At 8:02 pm Council Member Glenn made the motion to adjourn. The motion was seconded by Council Member Sturgess. All board members were in favor of the motion. Horton, Glenn, Sturgess, Travis.

Submitted by the Town Clerk

Linda Gilbert RMC, CMC

Highway #'s 96 – 112 \$12,639.14

General #'s 264 – 311 \$33,058.33

Prepaid #'s 236 – 266 \$32,821.71

General Park #'s 81 - 96 \$7,177.88